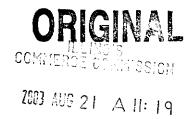
OFFICIAL FLE LLEGIS COMMERCE COMMISSION ILLINOIS COMMERCE COMMISSION



CHARLES E. LARSON & SONS, INC. Complainant,)		CHIEF CLERITY
vs.)))	No. 03-0195	
THE PEOPLES GAS LIGHT AND)		
COKE COMPANY)		
Respondent.)		

APPLICATION FOR THE ISSUANCE OF A SUBPOENA DUCES TECUM

NOW COMES the Respondent, THE PEOPLES GAS LIGHT AND COKE COMPANY ("Peoples Gas") by and through one of its attorneys, BRIAN J. McCARTHY, and pursuant to 220 ILCS 5/10-101 (1993), and 83 Ill. Admin. Code § 200.380, moves this Honorable Commission for the issuance of a subpoena duces tecum directing the keeper of the business records of Exelon Energy Company to produce the following at the offices of The Peoples Gas Light and Coke Company, 130 E. Randolph, 23rd floor, Chicago, Illinois, before noon on the 30th day of September, 2003:

Copies of any and all communications between Exelon Energy Company, or any person acting on behalf Exelon Energy Company (such as Dion Smith), and Charles E. Larson & Sons, Inc. (Larson), or any person acting on behalf of Larson.

In support of the Application for the Issuance of a Subpoena Duces Tecum, Respondent states as follows:

- 1. Charles E. Larson & Sons, Inc. ("Complainant") has filed a formal complaint alleging that Peoples Gas has improperly charged Complainant for gas usage.
- 2. Exelon Energy Company was Complainant's gas supplier during the period involved in the complaint.

- 3. Peoples Gas believes that records of communications between Complainant and Exelon Energy Company may produce information that will enable Peoples Gas to defend the complaint.
- 4. The issuance of a subpoena is reasonably required to obtain the information sought because the keeper of the records for Exelon Energy Company will not produce its business records without being served with a subpoena.

WHEREFORE, the Respondent requests that a subpoena in the form attached hereto be duly issued upon the Exelon Energy Company.

Respectfully submitted,

By:

Brian J. McCarthy

An Attorney for The Peoples Gas Light and Coke Company

Matthew Greene Brian McCarthy The Peoples Gas Light and Coke Company 130 East Randolph Drive, 23rd Floor Chicago, Illinois 60601

Dated this 1940 day of Avgust, 2003.

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

VERIFICATION

I, Brian J. McCarthy, being first duly sworn upon oath, depose and say that I have read the above and foregoing Application for the Issuance of a Subpoena Duces Tecum by me subscribed and know the contents thereof; and that said contents are true in substance and in fact.

Brian J. McCarthy

subscribed AND SWORN before me this /// day

Notary Public in and for

the County of Cool

Illinois

OFFICIAL SEAL
SUZANNA NOWACZYK
NOTARY PUBLIC-STATE OF ILLINOIS
MY COMMISSION EXPIRES 2/29/2004

My Commission Expires: 2/29/200

CERTIFICATE OF SERVICE

I hereby certify that I have this day served this Application for the Issuance of a Subpoena Duces Tecum by causing a copy to be placed in the United States mail with first class postage affixed, addressed to the Complainant and the Administrative Law Judge in Docket No. 03-0195 and to:

Keeper of the Records C/O Sabrina Copeland Exelon Energy Company 10 South Dearborn Street, 35th Floor Chicago, Illinois 60603

Dated at Chicago, Illinois this 19th day of August, 2003.

Brian J. McCarthy

STATE OF ILLINOIS ILLINOIS COMMERCE COMMISSION

CHARLES E. LARSON & SONS, INC.)	
Complainant,)	
)	
vs.)	No. 03-0195
)	
THE PEOPLES GAS LIGHT AND)	
COKE COMPANY)	
Respondent.)	

NOTICE OF FILING APPLICATION FOR ISSUANCE OF SUBPOENA

To: Mr. Henry Kelly
Kelly Drye & Warren LLP

333West Wacker Dr., Ste. 2600

Chicago, Illinois 60606

Administrative Law Judge Terrance Hilliard

Illinois Commerce Commission 160 North LaSalle, Suite C-800

Chicago, Illinois 6060

To: Keeper of the Records

C/O Sabrina Copeland Exelon Energy Company

10 South Dearborn Street, 35th Floor

Chicago, Illinois 60603

PLEASE TAKE NOTICE that on this date I have mailed for filing with the Illinois Commerce Commission, 527 East Capitol Avenue, P.O. Box 19280, Springfield, Illinois 62701, the original and three copies of The Peoples Gas Light and Coke Company's Application for Issuance of Subpoena Duces Tecum.

Dated: August 19, 2003

Respectfully submitted,

By:

Brian J. McCarthy
An Attorney for The Peoples

Gas Light and Coke Company